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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/539,750 | 06/20/2005 | Yukari Katayama | 062758-0114 | 5029 |
| 20277 7590 05/14/2008 MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096 | | | | |
| EXAMINER | | | | |
| CHOKSHI, PINKAL R | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2623 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/539,750

Applicant(s)

KATAYAMA ET AL.

Examiner

PINKAL CHOKSHI

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
4a) Of the above claim(s) 15-25 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 26-28 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 20 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 5/9/08
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election of **Group II – Claims 26-28** in the reply filed on 4/17/2008 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claim 26** is rejected under 35 U.S.C. 102(b) as being anticipated by US Publication 2002/0122137 A1 to Chen et al (hereafter referenced as Chen).

Regarding **claim 26**, "a video display device for displaying images received from a server for distributing images or another video display device located at upstream side along a distribution path of said images and transmitting the received images to one of other video display devices located at downstream side along the distribution path of said images" reads on the television set that receives broadcast video signals from terrestrial/head-end and transmits this signal to other television devices in the household (§¶0018 and ¶0027) disclosed by Chen and represented in Fig. 1 (elements 100, 120).

As to "it comprising: a first communication interface for receiving, from said server or said another video display device at upstream side, destination information including an identifier of a destination video display device specified by said server" Chen discloses (§§0032 and §§0041) that each stream, received in television set via TV broadcast antenna, contains an address that identifies the display devices which it is destined for as represented in Fig. 2 (elements 101, 150).

As to "a second communication interface for requesting the surrounding other video display devices to send their device identifiers and receiving response information indicating identifiers of video display devices in operation" Chen discloses (§§0027) that two display devices uses TV communication antenna to communicate with each other as represented in Fig. 1 (element 109). Chen further discloses (§§0030 and §§0041) that the streams that are to be outputted on display device 120 must first be identified and selected by the display device via selector 124. If the display device 120 doesn't select the stream they would like to watch then they receive all the streams transmitted by TV 100.

As to "a determination unit which compares the identifier indicated in said destination information received through said first communication interface and the device identifiers indicated in said response information received through said second communication interface, and decides a video display device in operation, which has a device identifier matched with the identifier indicated in

said destination information, as a destination of the received image" Chen discloses (§10038) that each display device 120 is assigned an address that is used to determine which streams are to be received. Selector 104/124 compares the address of the stream received via TV broadcast antenna with the address assigned to display devices to determine if the stream can be transmitted to that specific display device.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 27 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al in view of US Patent 5,831,664 to Wharton et al (hereafter referenced as Wharton).

Regarding **claim 27**, "the video display device wherein: said second communication interface establishes communication with said downstream video display device" Chen discloses (§10027) that the main TV set 100 communicates with number of other display devices 120 via a communication link as represented in Fig. 1.

As to "when said second communication interface has established communication with said downstream video display device, said first

communication interface notifies said server or said upstream video display device of communication established between the video display device and the downstream video display device" Chen discloses (§0029) that once the selection is made between TV set and user's display device, the streams are transmitted to TV set from broadcast server. Chen meets all the limitations of the claim except "where main set top box notifies server of communication established between the two display devices." However, Wharton discloses (col.6, lines 19-36) that the PDA sends the signals containing information about the device to the receiver. Receiver receives this information and sends this signal to notify server. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to notify server of the connection between two devices as taught by Wharton in order to obtain the management signal for receipt by the set-top device (col.2, lines 25-30).

Regarding **claim 28**, Chen meets all the limitations of the claim except "the video display device further comprising a third communication interface for communication with a user terminal." However, Wharton discloses (col.3, lines 39-42) that the communication between the mobile device and the set top box is wireless infrared technology as represented in Fig. 1. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to use wireless communication interface to communicate with other wireless devices as taught by Wharton in order to enable long range audio/video data transmission to

wireless devices such as laptops, PDA, cell phone using any wireless communication method such as 802.11b, g, Bluetooth, infra-red.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US Publication 2003/0097662 A1 to Russ et al discloses a master set top box distributing TV signals to other remote devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PINKAL CHOKSHI whose telephone number is (571) 270-3317. The examiner can normally be reached on Monday-Friday 8 - 5 pm (Alt. Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PRC/

/Brian T. Pendleton/
Supervisory Patent Examiner, Art Unit 2623